

BEFORE THE  
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF: )  
JEROME MALRY )  
-vs- ) 02-0273  
PEOPLES GAS LIGHT AND COKE COMPANY )  
Complaint as to lack of services at )  
7455 South Merrill and request for )  
audit and investigation in Chicago, )  
Illinois. )

Chicago, Illinois  
December 3, 2002

Met, pursuant to notice.

BEFORE:

Mr. Sherwin Zaban, Administrative Law Judge.

APPEARANCES:

MS. ROSEMARY TRIPLETT  
P.O. Box 23501  
Chicago, IL 60623  
for the complainant;

MR. BRIAN McCARTHY  
130 East Randolph Drive, 23rd Floor  
Chicago, IL 60601  
for the respondent.

SULLIVAN REPORTING COMPANY, by  
MICHAEL R. URBANSKI, C.S.R.,  
License No. 084-003270

I N D E X

		Re-	Re-	By
<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>direct</u>	<u>cross</u>
				<u>Examiner</u>

	<u>E</u> <u>X</u> <u>H</u> <u>I</u> <u>B</u> <u>I</u> <u>T</u> <u>S</u>	
<u>APPLICANT'S</u>	<u>For Identification</u>	<u>In Evidence</u>

1 JUDGE ZABAN: By the power vested in me by the  
2 Illinois Commerce Commission, I call Docket 02-0273,  
3 Earl Jerome Malry versus Peoples Gas.

4 Will the parties please identify themselves and  
5 enter their appearances for the record.

6 MS. TRIPLETT: Rosemary Triplett on behalf of  
7 Jerome Malry.

8 MR. MCCARTHY: Brian McCarthy on behalf of the  
9 respondent Peoples Gas, Light and Coke Company, 130  
10 East Randolph Drive, Chicago, Illinois, 60601.

11 JUDGE ZABAN: The last time this matter was up,  
12 my understanding was, Ms. Triplett, that we had  
13 completed discovery and you were going to make an  
14 assessment of the case in terms of what you were  
15 going to do.

16 Is that correct?

17 MS. TRIPLETT: Right.

18 JUDGE ZABAN: All right. I understand that  
19 there isn't a reasonable possibility this matter can  
20 settle; is that correct?

21 MR. MCCARTHY: No.

22 JUDGE ZABAN: Okay. Then we're going to

1           continue this matter to January the 8th, 2003, at  
2           10:30, and that will be for hearing.

3           And I understand -- do you have any other  
4           witnesses besides Mr. Malry?

5           MS. TRIPLETT:   Probably be two, I think.

6           JUDGE ZABAN:   Besides Mr. Malry or --

7           MS. TRIPLETT:   Just together.   Probably just be  
8           two.

9           JUDGE ZABAN:   Total of two.   And you're going  
10          to have two witnesses.

11          MR. MCCARTHY:   yeah.

12          JUDGE ZABAN:   So I --

13          MS. TRIPLETT:   Two or three?

14          MR. MCCARTHY:   Two.

15          JUDGE ZABAN:   Now, do either of the parties  
16          desire to have preoffered testimony, prewritten  
17          testimony?

18          MR. MCCARTHY:   I don't want that.

19          MS. TRIPLETT:   No.

20          MR. MCCARTHY:   I think that's more work.

21          MR. JEROME MALRY:   Can I have two seconds to  
22          confer with her one second.   Just two seconds.

1                               (Whereupon, a discussion  
2                               was had off the record.)

3               JUDGE ZABAN:   Okay.   And you're going to stand  
4   by your decision to not have prefiled testimony?

5               MS. TRIPLETT:   Yeah, uh-huh.

6               JUDGE ZABAN:   Okay.   The matter will be  
7   continued to January 8th at 10:30.

8               If necessary we'll go into January 9th as well  
9   so reserve those two days.

10              MS. TRIPLETT:   Okay.

11              JUDGE ZABAN:   All right.   Thank you.   That will  
12   be conclude the hearing.

13                               (Whereupon, further proceedings in  
14                               the above-entitled matter were  
15                               continued to January 8, 2003,  
16                               at 10:30 a.m.)

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